

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

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|---------------------------------|---|---|
| In re: |) | Chapter 11 |
| |) | |
| MALLINCKRODT PLC, <i>et al.</i> |) | Case No. 20-12522 (JTD) |
| |) | |
| Debtors. ¹ |) | (Jointly Administered) |
| |) | |
| |) | Re: Docket Nos. 4834, 4842, 5005, 5052 |

**ORDER IN CONNECTION WITH
JOINDER BY GLENRIDGE PRINCIPALS IN MOTION BY SANOFI-AVENTIS U.S.
LLC FOR PRE-CONFIRMATION DETERMINATION THAT DEBTORS
CANNOT REJECT OR DISCHARGE POST-CONFIRMATION
ROYALTY OBLIGATIONS RELATED TO SALE OF ACTHAR GEL**

Upon the Joinder (the “**Joinder**”)² of Kenneth Greathouse, Stuart Rose, and Lloyd Glenn (collectively, the “**Glenridge Principals**”), for entry of an order determining that the Debtors cannot reject or discharge their post-confirmation royalty obligations to the Glenridge Principals pursuant to the Royalty Agreement³ under the Debtors’ proposed joint plan of reorganization (the “**Plan**”); and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to [28 U.S.C. §§ 157 and 1334](#), and the Amended Standing Order of Reference from the United States District Court for the District of Delaware dated as of February 29, 2012; and consideration of the Motion and the relief requested therein being a core proceeding under [28 U.S.C. § 157\(b\)](#); and the Court having authority to enter a final order consistent with Article III of the United States Constitution; and venue being proper before this Court under [28 U.S.C. §§ 1408](#)

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <http://restructuring.primeclerk.com/Mallinckrodt>. The Debtors’ mailing address is 675 McDonnell Blvd., Hazelwood, Missouri 63042.

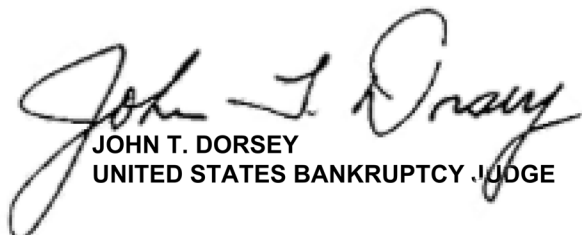
² Capitalized terms not otherwise defined herein have the meanings set forth in the Joinder.

³ “**Royalty Agreement**” means the Confidential Settlement Agreement and Release dated February 25, 2015, entered into by the Glenridge Principals on the one hand, and Questcor Pharmaceuticals, Inc. and Mallinckrodt Pharmaceuticals Ireland Limited on the other hand.

and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and good and sufficient cause appearing therefor and upon the record of this contested matter including the hearing on November 4, 2021, at which the Court provided findings of fact and conclusions of law supporting its determinations below, it is hereby **ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Joinder is DENIED, as set forth herein.
2. The Court hereby determines that the Royalty Agreement with the Glenridge Principals is executory for purposes of section 365 of the Bankruptcy Code and can be rejected under section 365 of the Bankruptcy Code.
3. The Court also hereby determines that any claims of the Glenridge Principals for post-Petition Date breaches of the Royalty Agreement, including for any payment of any royalties thereunder, by the Debtors constitute pre-Petition Date unsecured claims that may be discharged under the Bankruptcy Code.
4. This Order shall be immediately effective and enforceable upon its entry.
5. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or interpretation of this Order. This Order finally resolves the dispute presented by the Joinder and is final and appealable.

**Dated: December 1st, 2021
Wilmington, Delaware**


**JOHN T. DORSEY
UNITED STATES BANKRUPTCY JUDGE**